

PHILLIP A. TALBERT
United States Attorney
KIMBERLY A. SANCHEZ
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMADO ESCOBEDO, JR.,
DOROTEO GONZALES,

Defendants.

CASE NO. 1:21-CR-00222-NODJ-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: February 5, 2024
TIME: 8:30 a.m.
COURT: NODJ

STIPULATION

1. By previous order, this matter was set for trial confirmation on February 5, 2024 and trial for February 21, 2024.

2. By this stipulation, defendants now move to vacate the trial confirmation and trial and set a change of plea hearing for February 20, 2024, and to exclude time between February 5, 2024, and February 20, 2024.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes investigative reports, laboratory reports, video surveillance, audio surveillance, interview recordings, and criminal history information, totaling several gigabytes of electronic data. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) In order to accomplish continuity of counsel and in consideration of scheduling conflicts, defense counsel requests a change of plea on February 20, 2024.

c) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the proposed date.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 5, 2024 to February 20, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: January 31, 2024

PHILLIP A. TALBERT
Acting United States Attorney

/s/ KIMBERLY A. SANCHEZ
KIMBERLY A. SANCHEZ
Assistant United States Attorney

Dated: January 31, 2024

/s/ Monica Bermudez
MONICA BERMUDEZ
Counsel for Defendant
Amado Escobedo Jr.

1 Dated: January 31, 2024

/s/ Peter Jones

Peter Jones

Counsel for Defendant

Doroteo Gonzales

5 **ORDER**

6 IT IS SO ORDERED that the jury trial set for February 21, 2024, and trial confirmation set for
7 February 5, 2024, are vacated. A change of plea hearing is set for **February 20, 2024, at 8:30 a.m. in**
8 **Courtroom 5 before the District Court Judge.** Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A),
9 B(iv).

10
11 IT IS SO ORDERED.

12 Dated: January 31, 2024

/s/ *Barbara A. McAuliffe*

UNITED STATES MAGISTRATE JUDGE